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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF  
PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**vs.**

**ESTER MBAYA**

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**Crim. No.1:CR-24-261**

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**ORDER**

AND NOW, this \_\_\_\_ day of March, 2025, upon consideration of the Defendant's Motion to Continue the Date for the Defendant to Voluntarily Surrender to the Bureau of Prisons, it is HEREBY ORDERED that the motion is GRANTED. For the reasons set forth in the Defendant's Motion related to health issues and a pending case in the Dauphin County Court of Common Pleas, Defendant's voluntary surrender date is continued for 60 days. The Defendant must voluntarily surrender to the facility designated by the Bureau of Prisons by May 27, 2025, to begin serving her federal sentence. All conditions of release imposed by this Court at the time of Defendant's sentencing on February 27, 2025, remain in effect.

BY THE COURT:

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HON. JULIA K. MUNLEY  
UNITED STATES DISTRICT COURT JUDGE

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FOR THE MIDDLE DISTRICT OF  
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**UNITED STATES OF AMERICA**                   :  
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   :  
**vs.**   :  
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**ESTER MBAYA**                               :

**Crim. No.1:CR-24-261**

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**DEFENDANT’S MOTION TO CONTINUE VOLUNTARY SURRENDER DATE**

Ester Mbaya, by and through her undersigned counsel Joel E. Benecke, respectfully submits the following Motion to Continue Voluntary Surrender Date in the above cited case. The defense respectfully requests that this Honorable Court Continue Ms. Mbaya’s voluntary surrender date by 60 days.

**FACTUAL AND PROCEDURAL HISTORY**

By way of procedural history, in June of 2023, Ms. Mbaya received a target letter U.S. Department of Justice pertaining to an ongoing investigation into potential charges related to Bank Fraud and Health Care Fraud. Upon receiving notice of this letter, Ms. Mbaya notified undersigned counsel and made arrangements to meet with representatives from the Department of Justice and the Pennsylvania office of Attorney General. Ms. Mbaya and counsel met with these representatives on at least two (2) occasions to discuss the allegations.

On September 27, 2024, a two-count information was filed against Ms. Mbaya, with Count 1 pertaining to Health Care Fraud in violation of 18 U.S.C. § 1347 and Count 2 pertaining to Bank Fraud in violation of 18 U.S.C. § 1344.

On October 15, 2024, Ms. Mbaya appeared in front of this Honorable Court at which time she waived any indictment and entered a plea of guilty to the above listed charges.

On February 27, 2025, Ms. Mbaya appeared in front of this Honorable Court for sentencing and was sentenced to a minimum of 41 months of incarceration in Federal Prison, as well as other various fines, costs, and pre and post sentence conditions.

At the time of the sentencing on February 27, 2025, undersigned counsel informed this Honorable Court that Ms. Mbaya had an active and pending criminal case in the Dauphin County Court of Common Please (that case can be found at Docket No. CP-22-CR-0004201-2024). At the time of the sentencing on February 27, 2025, the next pending Court date in the Dauphin County case was May 13, 2025.

Undersigned counsel and Ms. Mbaya attended that Plea Court date on March 13, 2025. As of that date, the Dauphin County District Attorney's Office had not yet tendered discovery on the case to undersigned counsel for review. The Assistant District Attorney assigned to the case was made aware of Ms. Mbaya's pending voluntary surrender date of March 28, 2025, and they stated they would attempt to expedite the transfer of discovery to undersigned counsel. At that time, the Court rescheduled the Plea Court date to May 1, 2025 to allow for the transfer and review of discovery.

On March 20, 2025, undersigned counsel received an email communication from Darren J. Stritzinger, an Investigative Analyst for the U.S. Marshals Service. In that communication, Mr. Stritzinger directed that Ms. Mbaya was to voluntarily surrender to the Danbury Satellite Camp no later than 2 p.m. on March 28, 2025. (Please see copy of that email communicated attached hereto as Exhibit A.)

As of the date of this Motion, undersigned counsel has yet to receive the discovery in

pending case in the Dauphin County Court of Pleas.

Once undersigned counsel receives the discovery for the Dauphin County case, it will need to be reviewed with Ms. Mbaya to properly assess her case. Should Ms. Mbaya be incarcerated out of state and several hours away from both the Dauphin County Court and undersigned Counsel's offices, it will be extremely difficult to properly review her discovery and have her properly assist in her defense.

Additionally, and of equal concern, Ms. Mbaya has been dealing with a respiratory and rheumatoid condition that has been worsening over the past several weeks. Ms. Mbaya is being medically monitored for this condition by two physicians, Dr. Larissa V. Sachs, M.D., a rheumatoid specialist and Dr. Kartikeya Rajdev, a pulmonology specialist. Ms. Mbaya had appointments with Dr. Sachs and Dr. Rajdev on March 18 and March 19, respectively.

During those visits, Ms. Mbaya's condition was diagnosed as potentially being infectious in nature, and she was scheduled for several tests that are to during the week of March 24, 2025, with laboratory tests and follow-up appointments to occur thereafter.

I have spoken with Assistant U.S. Attorney Michael Consiglio and he states that the government has no objection to the request to continue Ms. Mbaya's voluntary surrender date.

Given the Ms. Mbaya's pending case in the Dauphin County Court of Common Pleas, and the need for proper assistance of counsel to review discovery in that matter, as well as the need to review her medical test results with her physician(s), it is respectfully requested that Ms. Mbaya's voluntary surrender date be continued for 60 days.

Respectfully submitted,

/s/Joel E. Benecke

Joel E. Benecke  
Counsel for Ester Mbaya

Date: March 25, 2025

# Exhibit A



Joel Benecke &lt;joel@benlathlaw.com&gt;

**Designation for Ester MBAYA (41266-511; 1:2024-CR-00261)**

4 messages

**Stritzinger, Darren (USMS)** <Darren.Stritzinger@usdoj.gov>  
To: "joel@benlathlaw.com" <joel@benlathlaw.com>

Thu, Mar 20, 2025 at 1:41 PM

Good afternoon, Mr. Benecke:

I wanted to Inform you that the above individual must voluntarily surrender to Danbury Satellite Camp no later than 2 p.m. on 3/28/25. If she has any questions or concerns about her impending incarceration, or if she wants to surrender at an earlier date, she can call (203) 743-6471. Please see the bottom of the attached document confirming the facility designation.

Kind regards,

Darren J. Stritzinger

Investigative Analyst

US Marshals Service

Middle District of Pennsylvania

[235 N. Washington Ave. Suite 215](#)

[Scranton, PA 18503](#)

Phone- 570-330-2204 ext 231

Cell - 570-507-0640

Fax – 570-346-7342

[Darren.Stritzinger@usdoj.gov](mailto:Darren.Stritzinger@usdoj.gov)



**Mbaya\_Designation.PNG**  
61K

**Joel Benecke** <joel@benlathlaw.com>  
To: Ester Mbaya <embaya@theserenityblue.com>

Fri, Mar 21, 2025 at 11:25 AM

**CERTIFICATE OF SERVICE**

I, Joel E. Benecke, counsel for the defendant, hereby certify that on March 25, 2025, I served copies of the Defendant's Motion to Continue the Voluntary Surrender date to the Honorable Julia K. Munley and Assistant U.S. Attorney Michael Consiglio via electronic filing and electronic mail.

/s/ Joel E. Benecke  
Joel E. Benecke  
Counsel for Ester Mbaya

DATE: March 25, 2025